

EXHIBIT A

Barkat G. Ali - January 5, 2021

1	<p>IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF TEXAS DALLAS DIVISION</p> <p>HARRISON COMPANY LLC,)) Plaintiff,))</p> <p>VS.) NO. 3:19-CV-1057-B)</p> <p>A-Z WHOLESALERS INC. and) BARKAT G. ALI,)) Defendants.)</p> <p>ORAL AND VIDEOTAPED DEPOSITION OF BARKAT G. ALI JANUARY 5, 2021 (Reported Remotely)</p> <p>ORAL AND VIDEOTAPED DEPOSITION OF BARKAT G. ALI, produced as a witness at the instance of the Plaintiffs, and duly sworn, was taken in the above-styled and numbered cause on the 5th of January, 2021, from 10:59 a.m. to 5:07 p.m., before Audra B. Paty, CSR in and for the State of Texas, reported by machine shorthand, at 616 Clariden Ranch Road, in the City of Southlake, County of Tarrant, State of Texas, pursuant to Notice and the Federal Rules of Civil Procedure.</p>	3
2	<p>A P P E A R A N C E S</p> <p>FOR THE PLAINTIFF: Mr. Joseph Anthony Unis, Jr. Mr. David L. Swanson Ms. Anna K. Finger LOCKE LORD LLP 2200 Ross Avenue Suite 2800 Dallas, Texas 75201 214.740.8000 junis@lockelord.com dswanson@lockelord.com anna.k.finger@lockelord.com</p> <p>FOR THE DEFENDANTS: Ms. Joyce W. Lindauer Ms. Kerry S. Alleyne JOYCE W. LINDAUER, PLLC 1412 Main Street Suite 500 Dallas, Texas 75202 972.503.4033 joyce@joycelindauer.com kerry@joycelindauer.com</p> <p>ALSO PRESENT: Mr. Amar Ali Mr. Guy Tubbs, Videographer</p>	4
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4	<p>EXHIBITS IDENTIFIED</p> <p>Exhibit 19 - E-mail string top e-mail 2-27-15 A. Ali e-mail to B. Ali 135</p> <p>Exhibit 20 - E-mail string top e-mail 3-5-15 Albritton e-mail to Barkat and Ali 138</p> <p>Exhibit 23 - E-mail string top e-mail 3-26-15 Albritton e-mail to Barkat 139</p> <p>Exhibit 29 - 10-30-15 Prendergrast to A. Ali 142</p> <p>Exhibit 34 - Declaration of Sandy Zazulak 152</p> <p>Exhibit 35 - Spreadsheet 158</p> <p>Exhibit 38 - Defendant's First Amended Answer to Plaintiff's Original Complaint 159</p>	4

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<p style="text-align: right;">61</p> <p>1 Amar was running -- operating the place.</p> <p>2 Q. Same goes for the Waco warehouse, correct?</p> <p>3 You have no reason to dispute that Harrison delivered</p> <p>4 product to the A-Z warehouse in Waco, right?</p> <p>5 A. I don't know. I don't know.</p> <p>6 Q. You don't know because you weren't involved,</p> <p>7 correct?</p> <p>8 A. Yes.</p> <p>9 Q. You don't have any personal knowledge of that</p> <p>10 process, do you, sir?</p> <p>11 A. Yes, I don't have personal knowledge.</p> <p>12 Q. Would anyone other than Amar have knowledge</p> <p>13 of that process?</p> <p>14 A. You can ask Amar.</p> <p>15 Q. Okay. I'm asking you, sir. Are you aware of</p> <p>16 anyone other than Amar having knowledge of that</p> <p>17 process?</p> <p>18 A. No.</p> <p>19 Q. And you don't have any personal knowledge</p> <p>20 about the account numbers that Harrison set up for A-Z</p> <p>21 under the credit agreement, do you, sir?</p> <p>22 A. No, I don't.</p> <p>23 Q. And you don't have any personal knowledge of</p> <p>24 A-Z's ordering process when it would order product</p> <p>25 from Harrison, do you, sir?</p>	<p style="text-align: right;">63</p> <p>1 Q. And you don't know how much product Harrison</p> <p>2 was delivering; is that correct?</p> <p>3 A. No, I don't know.</p> <p>4 Q. Is there anything you know about the ordering</p> <p>5 or the delivery process under this Exhibit 4 credit</p> <p>6 agreement?</p> <p>7 A. I don't know.</p> <p>8 Q. I'm sorry. This is actually Exhibit 3. I</p> <p>9 misspoke. So you don't know anything about the</p> <p>10 ordering process, correct?</p> <p>11 A. No.</p> <p>12 Q. And you don't know anything about the</p> <p>13 delivery process, right?</p> <p>14 A. No.</p> <p>15 Q. Were you ever at the warehouse in Dallas when</p> <p>16 Harrison delivered product to A-Z?</p> <p>17 A. No, I'm not there. I was never -- I just</p> <p>18 went some time and that's it.</p> <p>19 Q. So you never observed a Harrison truck</p> <p>20 unloading product at the warehouse in Dallas?</p> <p>21 A. Not really.</p> <p>22 Q. Not really?</p> <p>23 A. Don't remember.</p> <p>24 Q. You don't recall ever seeing a Harrison truck</p> <p>25 unload product at the warehouse in Dallas?</p>
<p style="text-align: right;">62</p> <p>1 A. No, I don't.</p> <p>2 Q. You don't know how A-Z placed those orders,</p> <p>3 do you?</p> <p>4 A. I don't know that.</p> <p>5 Q. And you don't know how Harrison filled those</p> <p>6 orders, correct?</p> <p>7 A. I don't know.</p> <p>8 Q. You're totally uninvolved, right, that's what</p> <p>9 you told me?</p> <p>10 A. Yes.</p> <p>11 Q. So you don't know who anyone at A-Z spoke to</p> <p>12 at Harrison, right?</p> <p>13 A. No.</p> <p>14 Q. And you don't know how often A-Z was ordering</p> <p>15 product from Harrison, do you, sir?</p> <p>16 A. I don't know that.</p> <p>17 Q. You don't know how often Harrison was</p> <p>18 delivering product, correct?</p> <p>19 A. I don't know.</p> <p>20 Q. And you don't know how much product A-Z was</p> <p>21 ordering; is that right?</p> <p>22 A. I don't know.</p> <p>23 Q. You don't know what it was paying for the</p> <p>24 product it was ordering?</p> <p>25 A. No, I don't know.</p>	<p style="text-align: right;">64</p> <p>1 A. Not really. Really don't remember.</p> <p>2 Q. And do you recall ever seeing a Harrison</p> <p>3 truck unload product at the warehouse in Waco?</p> <p>4 A. Yeah, it was far away. I don't know.</p> <p>5 Q. How often would you go to the Waco warehouse?</p> <p>6 A. I think I have been only two, three times all</p> <p>7 these years. That's it.</p> <p>8 Q. Do you recall the last time you were at the</p> <p>9 warehouse in Waco?</p> <p>10 A. Maybe a few years ago.</p> <p>11 Q. Do you recall why you went to the warehouse</p> <p>12 in Waco a few years ago?</p> <p>13 A. Just was passing by, just stopped by.</p> <p>14 Q. So you have no idea what the Harrison trucks</p> <p>15 look like; is that correct?</p> <p>16 A. I really don't, no. I don't remember.</p> <p>17 Q. And do you know who at A-Z would be</p> <p>18 responsible for receiving any delivery from Harrison?</p> <p>19 A. I don't know.</p> <p>20 Q. And you have no idea what type of</p> <p>21 documentation was involved either on the Harrison side</p> <p>22 or the A-Z side when ordering and delivering product,</p> <p>23 do you, sir?</p> <p>24 A. No, I don't know.</p> <p>25 Q. Other than Amar, do you know who would be</p>

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<p style="text-align: right;">77</p> <p>1 Prendergrast doesn't work for Harrison?</p> <p>2 A. I met him when -- I think later on. He came</p> <p>3 and introduced himself I think at the warehouse one</p> <p>4 day and said he's chief financial officer or chief</p> <p>5 operating officer. I don't know. He was coming from</p> <p>6 Imperial. Imperial.</p> <p>7 Q. And you would agree it's possible for one</p> <p>8 person to be associated with two entities, correct?</p> <p>9 A. No, he wasn't presenting as Imperial officer.</p> <p>10 Q. Sir, you yourself are affiliated with three</p> <p>11 entities at least, right?</p> <p>12 A. So what. I can be ten.</p> <p>13 Q. Exactly.</p> <p>14 A. But he was from Imperial.</p> <p>15 Q. And what is the basis for that understanding,</p> <p>16 sir?</p> <p>17 A. I vaguely remember he gave me a business card</p> <p>18 which said Imperial and he was chief operating officer</p> <p>19 or chief financing officer, something. He gave me a</p> <p>20 card, business card, that said Imperial.</p> <p>21 Q. Okay Who is Brad Albritton? Do you know?</p> <p>22 A. No, I don't remember.</p> <p>23 Q. Is that name familiar to you?</p> <p>24 A. No, I don't remember.</p> <p>25 Q. What about Wayne Baquet?</p>	<p style="text-align: right;">79</p> <p>1 you goods is based on what, sir?</p> <p>2 A. Question repeat again.</p> <p>3 MR. UNIS: Madam Court Reporter, could</p> <p>4 you please read back the question?</p> <p>5 (Record read.)</p> <p>6 A. Yeah, based on writing checks. I was signing</p> <p>7 the checks. Not writing, but signing the checks.</p> <p>8 Q. (BY MR. UNIS) Okay. Anything other than how</p> <p>9 you would make out checks to support your opinion?</p> <p>10 A. That's all. I was signing the checks.</p> <p>11 Q. So nothing other than the checks, correct?</p> <p>12 A. Yes.</p> <p>13 Q. You weren't there receiving deliveries,</p> <p>14 right, at A-Z?</p> <p>15 A. No.</p> <p>16 Q. And you weren't placing the orders, were you,</p> <p>17 sir?</p> <p>18 A. No.</p> <p>19 Q. And you told me earlier you don't know how</p> <p>20 those orders were being filled, correct?</p> <p>21 A. Uh-huh.</p> <p>22 Q. Who was filling those orders?</p> <p>23 A. I don't know.</p> <p>24 Q. What those trucks looked like, correct?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">78</p> <p>1 A. I know I met Wayne Baquet, but I know he's</p> <p>2 the president of Imperial.</p> <p>3 Q. How do you know that?</p> <p>4 A. Amar. I was told by Amar.</p> <p>5 Q. Amar told you?</p> <p>6 A. Yes.</p> <p>7 Q. You never met Wayne?</p> <p>8 A. I never met Wayne.</p> <p>9 Q. Did you meet Brad Prendergrast?</p> <p>10 A. I met him one time.</p> <p>11 Q. When was that?</p> <p>12 A. I don't remember. I don't remember really.</p> <p>13 Met him maybe four years ago, three years ago.</p> <p>14 Q. Do you remember where you met him?</p> <p>15 A. At A-Z.</p> <p>16 Q. In Dallas?</p> <p>17 A. Yes.</p> <p>18 Q. And you made reference to Imperial. That's</p> <p>19 Imperial Trading Company, LLC, correct?</p> <p>20 A. No, I don't know exact name.</p> <p>21 Q. What do you know about Imperial?</p> <p>22 A. I don't know. Imperial was -- is a company</p> <p>23 that was sending us goods, and I was signing the</p> <p>24 checks. I remember -- that's all I remember.</p> <p>25 Q. And your opinion that Imperial was sending</p>	<p style="text-align: right;">80</p> <p>1 Q. Who owned the trucks? You didn't know that,</p> <p>2 did you?</p> <p>3 A. No.</p> <p>4 Q. You didn't know who was driving the trucks,</p> <p>5 right?</p> <p>6 A. No.</p> <p>7 Q. You didn't know who employed the employees</p> <p>8 who were loading the trucks at the warehouse, did you?</p> <p>9 A. I don't know.</p> <p>10 Q. And you didn't even know where the warehouse</p> <p>11 was located correct, sir?</p> <p>12 A. No.</p> <p>13 Q. And you have no idea after you signed those</p> <p>14 checks who was receiving them, do you?</p> <p>15 A. No.</p> <p>16 Q. Or how those checks were being applied,</p> <p>17 right?</p> <p>18 A. No.</p> <p>19 Q. And you don't even know what entity was</p> <p>20 reporting the monies received pursuant to those checks</p> <p>21 as income on their taxes, do you?</p> <p>22 A. Well, all I remember there was once upon a</p> <p>23 time Harrison checks were made, I signed it. Later on</p> <p>24 it was Imperial checks on my desk, I signed it, and</p> <p>25 mailed it.</p>

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<p style="text-align: right;">85</p> <p>1 Q. You know nothing about the relationship,</p> <p>2 correct?</p> <p>3 A. No.</p> <p>4 Q. How did you first learn of Imperial?</p> <p>5 A. I don't remember. I think three years back</p> <p>6 when Brad came. I don't know.</p> <p>7 Q. So you had never heard of Imperial until you</p> <p>8 met with Mr. Prendergrast three years ago?</p> <p>9 A. Well, I start remembering when I was signing</p> <p>10 checks to Imperial. So that's all. I did Harrison</p> <p>11 and then Imperial.</p> <p>12 Q. Okay. So you first learned of Imperial when</p> <p>13 someone put a check in front of you to sign that was</p> <p>14 addressed to Imperial; is that right?</p> <p>15 A. Yes.</p> <p>16 Q. And did you ask why is this check addressed</p> <p>17 to Imperial at that time?</p> <p>18 A. No, I don't ask.</p> <p>19 Q. You just signed it?</p> <p>20 A. I signed it.</p> <p>21 Q. So it didn't matter to you who the check was</p> <p>22 addressed to, did it?</p> <p>23 A. No.</p> <p>24 Q. Do you know anything about A-Z's account</p> <p>25 numbers with Harrison?</p>	<p style="text-align: right;">87</p> <p>1 Q. Other than the fact that you were addressing</p> <p>2 checks to Imperial, what do you know about Imperial?</p> <p>3 A. Nothing. I don't know. All I was signing</p> <p>4 checks.</p> <p>5 Q. You never placed an order yourself with</p> <p>6 Imperial, did you?</p> <p>7 A. Repeat the question.</p> <p>8 Q. You personally never placed any order with</p> <p>9 Imperial, correct?</p> <p>10 A. No.</p> <p>11 Q. And you never spoke with anyone at Imperial,</p> <p>12 did you, sir?</p> <p>13 A. No.</p> <p>14 Q. Do you even know where Imperial is located?</p> <p>15 A. No.</p> <p>16 Q. I believe you testified earlier once you sent</p> <p>17 a check off, you have no idea how it was applied,</p> <p>18 correct?</p> <p>19 A. Correct.</p> <p>20 Q. Doesn't matter if you made it payable to</p> <p>21 Harrison or if you made it payable to Imperial, you</p> <p>22 don't know what happened to that check, right?</p> <p>23 A. No.</p> <p>24 Q. And you don't know who reported those sales</p> <p>25 on their taxes?</p>
<p style="text-align: right;">86</p> <p>1 A. No, I don't know.</p> <p>2 Q. Do you know if those account numbers ever</p> <p>3 changed?</p> <p>4 A. I don't know really.</p> <p>5 Q. So you don't know if the account numbers ever</p> <p>6 changed?</p> <p>7 A. I don't know.</p> <p>8 Q. So you wouldn't know if they changed why they</p> <p>9 changed, would you, sir?</p> <p>10 A. I don't know.</p> <p>11 Q. And I asked you earlier about Harrison's</p> <p>12 internal operations. You said you had no knowledge of</p> <p>13 those operations, right?</p> <p>14 A. Yeah, I don't know.</p> <p>15 Q. And so you don't know anything about</p> <p>16 Imperial's operations either, do you, sir?</p> <p>17 A. No.</p> <p>18 Q. You don't know anything about its accounting</p> <p>19 procedures, correct?</p> <p>20 A. No.</p> <p>21 Q. Nothing about its employees, correct?</p> <p>22 A. No.</p> <p>23 Q. And nothing about its relationship with</p> <p>24 Harrison, right?</p> <p>25 A. No.</p>	<p style="text-align: right;">88</p> <p>1 A. No.</p> <p>2 Q. Because you have no personal knowledge of</p> <p>3 Harrison or Imperial's internal accounting practices,</p> <p>4 correct, sir?</p> <p>5 A. I don't need to know.</p> <p>6 Q. I didn't ask you if you need to know. I</p> <p>7 asked if you do know.</p> <p>8 A. No.</p> <p>9 Q. What do you know about A-Z's payment terms</p> <p>10 with Harrison, sir?</p> <p>11 A. I don't know.</p> <p>12 Q. You know nothing about the payment terms?</p> <p>13 A. No.</p> <p>14 Q. Okay. And you testified earlier you</p> <p>15 believed you were -- or you believed A-Z at some point</p> <p>16 started purchasing from Imperial, correct?</p> <p>17 A. I can recognize only with the checks, when I</p> <p>18 was signing the checks.</p> <p>19 Q. Okay. So you know nothing about any alleged</p> <p>20 payments terms between A-Z and Imperial, do you, sir?</p> <p>21 A. No.</p> <p>22 Q. How much do you believe A-Z owes Imperial?</p> <p>23 A. I don't know.</p> <p>24 Q. Do you believe that A-Z owes Imperial money?</p> <p>25 A. I don't know.</p>

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<p style="text-align: right;">121</p> <p>1 A. Yeah, I signed it, yes.</p> <p>2 Q. I want to take a look at paragraph 3 on page</p> <p>3 2, please.</p> <p>4 A. Okay.</p> <p>5 Q. And that first sentence of paragraph 3</p> <p>6 states, on September 1st, 2018, Imperial Trading</p> <p>7 Company, LLC, Imperial, acquired Harrison and took</p> <p>8 over the process of fulfilling all orders. Did I read</p> <p>9 that correctly?</p> <p>10 A. Okay.</p> <p>11 Q. I read that correctly?</p> <p>12 A. Yes.</p> <p>13 Q. And, sir, what is the basis, the factual</p> <p>14 basis, for that statement?</p> <p>15 A. I don't remember.</p> <p>16 Q. Is that statement accurate in your opinion</p> <p>17 sitting here today?</p> <p>18 A. Yes.</p> <p>19 Q. Based on what?</p> <p>20 A. Based on signing the checks.</p> <p>21 Q. Okay. But you told me that you stopped</p> <p>22 making payment to Harrison in 2015, did you not?</p> <p>23 A. No, I was signing checks, not stop payment.</p> <p>24 I was signing checks to Harrison in 2014, '15, and</p> <p>25 then I was signing checks to Imperial later on. Why</p>	<p style="text-align: right;">123</p> <p>1 time I was just signing the checks.</p> <p>2 Q. Okay. So you know nothing about the</p> <p>3 submission of orders from A-Z to Imperial, do you?</p> <p>4 A. Why don't you show me the invoices?</p> <p>5 Q. I'm asking you about your declaration, sir.</p> <p>6 We can talk about invoices next.</p> <p>7 A. Yeah, I was signing the checks based on that.</p> <p>8 Q. And to generate an invoice, you first have to</p> <p>9 have an order, right? You order the goods, you get</p> <p>10 invoiced for the goods, you pay the invoice. That's</p> <p>11 how the process works, right?</p> <p>12 A. Yeah, but I was signing the checks. The last</p> <p>13 number is mine.</p> <p>14 Q. So you were involved in part 3 of that</p> <p>15 chronology. We're talking about part 1, orders</p> <p>16 submitted to representatives of Imperial. You have no</p> <p>17 personal knowledge of that, do you, sir?</p> <p>18 A. Every company have people to work on those</p> <p>19 processes. My job was to sign the checks.</p> <p>20 Q. So my question to you, sir, is what is the</p> <p>21 factual basis for your statement in your declaration</p> <p>22 that all orders were submitted to representatives of</p> <p>23 Imperial?</p> <p>24 A. Sign the check.</p> <p>25 Q. So you have no personal knowledge of the</p>
<p style="text-align: right;">122</p> <p>1 you confusing the language?</p> <p>2 Q. And the date in this paragraph 3 is September</p> <p>3 1, 2018. Do you see that, sir?</p> <p>4 A. Yeah.</p> <p>5 Q. What is that date based on?</p> <p>6 A. I don't know.</p> <p>7 Q. And you testified earlier you don't know</p> <p>8 anything about the relationship between Harrison and</p> <p>9 Imperial; is that right?</p> <p>10 A. Yeah.</p> <p>11 Q. And then beginning midway of line 3 through</p> <p>12 paragraph 3 of your declaration you state, all orders</p> <p>13 were submitted to representatives of Imperial and all</p> <p>14 invoices were sent from Imperial. Did I read that</p> <p>15 correctly?</p> <p>16 A. Uh-huh, yes.</p> <p>17 Q. You weren't involved in submitting orders,</p> <p>18 were you, sir, on behalf of A-Z?</p> <p>19 A. No.</p> <p>20 Q. So what is the factual basis for your</p> <p>21 statement that all orders were submitted to</p> <p>22 representatives of Imperial?</p> <p>23 A. Signing checks.</p> <p>24 Q. That's payment.</p> <p>25 A. Yeah, that's all I know from this time to</p>	<p style="text-align: right;">124</p> <p>1 order process, the order form and the payment?</p> <p>2 A. I was signing checks. That's all.</p> <p>3 Q. Okay. And so then step 2 in that chronology</p> <p>4 is the invoice. You state all invoices were sent from</p> <p>5 Imperial. What is the basis for your statement that</p> <p>6 invoices were sent from Imperial?</p> <p>7 A. It says from period October 18 and March 19.</p> <p>8 I mean, those invoices I was not looking at the</p> <p>9 invoices. All I was signing the checks.</p> <p>10 Q. Right. So you have no personal knowledge as</p> <p>11 to whether Imperial or Harrison was sending invoices</p> <p>12 to A-Z, do you, sir?</p> <p>13 A. No, at that time, Harrison was stopped</p> <p>14 because Harrison was paid off. Harrison was done.</p> <p>15 You are in 2021. You're not in 2015. 2015 Harrison</p> <p>16 was paid off zero dollars. My guaranties null and</p> <p>17 void. I'm done with Harrison. Imperial start</p> <p>18 sending. I was signing the checks to Imperial at that</p> <p>19 time.</p> <p>20 Q. Okay. So you don't know who was receiving</p> <p>21 orders from A-Z or who was sending invoices to A-Z, do</p> <p>22 you, sir?</p> <p>23 A. No.</p> <p>24 Q. And you don't know if either person was</p> <p>25 employed by Harrison or Imperial, do you, sir?</p>

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<p style="text-align: right;">125</p> <p>1 A. What is that question?</p> <p>2 Q. You don't know if the person receiving the</p> <p>3 order from A-Z was employed by Harrison or Imperial,</p> <p>4 do you, sir?</p> <p>5 A. The question is kind of funny, no.</p> <p>6 MR. UNIS: Madam Court Reporter, can you</p> <p>7 read it back, please?</p> <p>8 (Record read.)</p> <p>9 A. I'm not running Harrison, sure. Imperial,</p> <p>10 sure. Who was getting the orders I don't know.</p> <p>11 That's kind of a funny question.</p> <p>12 Q. (BY MR. UNIS) You don't know who is</p> <p>13 receiving the order in Bossier City, Louisiana, do</p> <p>14 you, sir?</p> <p>15 A. I don't want to talk something to you that</p> <p>16 it's a dumb question, man.</p> <p>17 Q. Well, but the dumb question --</p> <p>18 A. I don't know, man. I don't know who was</p> <p>19 getting the order, Imperial or Harrison. How do I</p> <p>20 know? Does Joe got it or John got it or Sam got it?</p> <p>21 I don't know. You're asking some dumb question.</p> <p>22 That's why I'm kind of confused. What are you asking?</p> <p>23 Q. I'm just trying to understand your</p> <p>24 declaration because you state that A-Z was submitting</p> <p>25 the orders to representatives of Imperial. I'm asking</p>	<p style="text-align: right;">127</p> <p>1 place the orders between A-Z and Imperial. He did not</p> <p>2 place the order between A-Z and Harrison.</p> <p>3 MR. UNIS: In his signed declaration he</p> <p>4 has personal knowledge. I'm just trying to run these</p> <p>5 facts to the ground.</p> <p>6 MR. AMAR ALI: You've asked the question</p> <p>7 at least 20 times. At least. That's a conservative</p> <p>8 number.</p> <p>9 MR. UNIS: Well, I'm just trying to</p> <p>10 figure out why it's in the declaration if he doesn't</p> <p>11 know.</p> <p>12 MR. AMAR ALI: It's in the declaration</p> <p>13 because A-Z was placing those orders. A-Z informed</p> <p>14 him that they were placing the orders to Imperial.</p> <p>15 MR. UNIS: So he has no personal</p> <p>16 knowledge.</p> <p>17 Q. (BY MR. UNIS) You have no personal</p> <p>18 knowledge, sir? If you just answer that question, we</p> <p>19 can move on.</p> <p>20 MR. AMAR ALI: We've moved on. We've</p> <p>21 moved on. You haven't moved on.</p> <p>22 MR. UNIS: You would like to move on and</p> <p>23 you'll have your opportunity on Thursday, sir. I'm</p> <p>24 asking the fact witness --</p> <p>25 A. I'm telling you you are asking dumb</p>
<p style="text-align: right;">126</p> <p>1 you how you know they were representatives of</p> <p>2 Imperial?</p> <p>3 A. Because I was signing the checks. My job was</p> <p>4 to sign the checks and based on signing the checks</p> <p>5 long time ago I used to sign it and then later on</p> <p>6 Imperial I have been telling you a hundred times.</p> <p>7 Whoever read --</p> <p>8 Q. So you were not involved --</p> <p>9 A. -- this deposition get bored.</p> <p>10 Q. Thank you, sir. You were not involved in</p> <p>11 placing orders, right?</p> <p>12 MR. AMAR ALI: We've gone over this how</p> <p>13 many times today. He did not place the orders. He</p> <p>14 did not receive the orders. He did not look at the</p> <p>15 invoices. He signed the checks. The orders were</p> <p>16 placed by A-Z to Harrison and at some point later they</p> <p>17 were placed to Imperial. A-Z paid Harrison. After</p> <p>18 Harrison wasn't owed any money, then Imperial was</p> <p>19 paid.</p> <p>20 MR. UNIS: I'm objecting whatever, this</p> <p>21 testimony, sidebar, narrative.</p> <p>22 MR. AMAR ALI: You keep asking him over</p> <p>23 and over again if he placed the order. Let's go back</p> <p>24 and look at the deposition transcript and see how many</p> <p>25 times you've asked that same question. He did not</p>	<p style="text-align: right;">128</p> <p>1 questions. I think you are just killing your time.</p> <p>2 You are actually wasting my time. You are making</p> <p>3 money. I'm not making money. You billing your</p> <p>4 client. Who am I going to bill for wasting my time</p> <p>5 for asking same question for 120 times? Come on, man.</p> <p>6 MR. AMAR ALI: I mean, why don't you just</p> <p>7 put the invoices up from October 22nd, 2018 to March</p> <p>8 4th, 2019. Put the invoices up and go through those.</p> <p>9 MR. UNIS: I appreciate you wanting to</p> <p>10 coach the deposition, sir.</p> <p>11 MR. AMAR ALI: I'm not coaching the</p> <p>12 deposition. I'm just sitting here. I know he's</p> <p>13 tired. It's getting late. You said you're going to</p> <p>14 go until 5:00, but you keep asking the same question.</p> <p>15 We are going to be here until 8:00.</p> <p>16 A. Hey, God bless you, man. Keep on billing</p> <p>17 your client, but don't waste my time, buddy.</p> <p>18 Q. (BY MR. UNIS) I would like to look at</p> <p>19 paragraph 6 of your declaration, sir, if you and your</p> <p>20 son are done with your rant. Can we agree to go to</p> <p>21 paragraph 6 at page 3?</p> <p>22 A. Page 3 is it?</p> <p>23 MR. AMAR ALI: No, it's paragraph 6.</p> <p>24 THE WITNESS: Paragraph 6.</p> <p>25 Q. (BY MR. UNIS) Are you there?</p>

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<p style="text-align: right;">177</p> <p>1 CHANGES AND SIGNATURE</p> <p>2 WITNESS NAME: BARKAT G. ALI JANUARY 5, 2021</p> <p>3 PAGE LINE CHANGE REASON</p> <p>4 _____</p> <p>5 _____</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 _____</p> <p>25 _____</p>	<p style="text-align: right;">179</p> <p>1 STATE OF TEXAS)</p> <p>2 COUNTY OF DALLAS)</p> <p>3 I, Audra B. Paty, Certified Shorthand</p> <p>4 Reporter, in and for the State of Texas, certify that</p> <p>5 the foregoing deposition of BARKAT G. ALI was reported</p> <p>6 stenographically by me at the time and place</p> <p>7 indicated, said witness having been placed under oath</p> <p>8 by me; that review was requested pursuant to Federal</p> <p>9 Rule of Civil Procedure 30(e)(1); and that the</p> <p>10 deposition is a true record of the testimony given by</p> <p>11 the witness.</p> <p>12 I further certify that I am neither counsel</p> <p>13 for nor related to any party in this cause and am not</p> <p>14 financially interested in its outcome.</p> <p>15 Given under my hand on this the 11th day of</p> <p>16 January, 2021. <i>Audra B. Paty</i></p> <p>17 _____</p> <p>18 Audra B. Paty, Certified</p> <p>19 Shorthand Reporter No. 5987</p> <p>20 Dickman Davenport, Inc.</p> <p>21 Firm Registration #312</p> <p>22 4228 North Central Expressway</p> <p>23 Suite 101</p> <p>24 Dallas, Texas 75206</p> <p>25 214.855.5100 800.445.9548</p> <p>e-mail: abp@dickmandavenport.com</p> <p>My commission expires 10-31-22</p> <p>Time used by each party:</p> <p>Mr. Joseph Anthony Unis, Jr. - 5:13</p> <p>Ms. Joyce W. Lindauer - 0:00</p>
<p style="text-align: right;">178</p> <p>1 I, BARKAT G. ALI, have read the foregoing</p> <p>2 deposition and hereby affix my signature that same is</p> <p>3 true and correct, except as noted above.</p> <p>4</p> <p>5 _____</p> <p>6 BARKAT G. ALI</p> <p>7</p> <p>8</p> <p>9</p> <p>10 THE STATE OF _____)</p> <p>11 COUNTY OF _____)</p> <p>12 Before me, _____, on this</p> <p>13 day personally appeared BARKAT G. ALI, known to me (or</p> <p>14 proved to me under oath or through _____)</p> <p>15 (description of identity card or other document) to be</p> <p>16 the person whose name is subscribed to the foregoing</p> <p>17 instrument and acknowledged to me that they executed</p> <p>18 the same for the purposes and consideration therein</p> <p>19 expressed.</p> <p>20 Given under my hand and seal of office this</p> <p>21 _____ day of _____, 2021.</p> <p>22</p> <p>23 _____</p> <p>24 NOTARY PUBLIC IN AND FOR</p> <p>25 THE STATE OF _____</p> <p>My commission expires: _____</p>	